

RESOLUTION NO. 2010-182

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING
SUBSTITUTION OF SUBCONTRACTORS, REJECTING BID PROTEST,
AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS FOR
CONSTRUCTION, MEMBRANE FILTRATION SYSTEM, TESTING AND
INSPECTION SERVICES, FURNITURE, CONSTRUCTION
ADMINISTRATION SERVICES, AND INCIDENTAL TAKE MINIMIZATION
MEASURES FOR THE SURFACE WATER TREATMENT FACILITY
PROJECT AND FURTHER APPROPRIATING FUNDS

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WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on September 16, 2010, at 2:00 p.m., for the City of Lodi Surface Water Treatment Plant, described in the plans and specifications therefore approved by the City Council on July 21, 2010; and

WHEREAS, said bids have been checked and tabulated and a report thereof filed with the City Manager as follows:

Bidder	Location	Bid
Engineer's Estimate		\$32,000,000
C. Overaa & Company	Richmond	\$22,837,000
G.S.E. Construction Company, Inc.	Livermore	\$24,548,000
Auburn Constructors	Sacramento	\$25,200,300
S.J. Amoroso Construction	Redwood Shores	\$25,697,000
W.M. Lyles Company	West Sacramento	\$26,176,000
Monterey Mechanical Company	Oakland	\$26,660,000
Gateway Pacific Contractors	Sacramento	\$27,998,129
Western Water Constructors, Inc.	Santa Rosa	\$28,365,000
J.R. Filanc Construction Company	Escondido	\$28,760,000

WHEREAS, C. Overaa & Company has requested a substitution of A.M. Stephens Construction Company, Inc., of Lodi, California, for Sierra Equipment Rental, Inc., of Glenn, California, and of **FD** Thomas, of Medford, Oregon, for National Coatings and Lining Company, of Lake Elsinore, California, and has set forth evidence that the listed contractors were listed by mistake, consistent with the requirements of Public Contracts Code Section 4107; and

WHEREAS, G.S.E. Construction, of Livermore, California, has protested C. Overaa & Company's award based on its assertion that Overaa did not list an approved subcontractor for the traffic signal scope of work. C. Overaa & Company has provided the City with documentation that the traffic signal work is included in the approved electrical contractor's (San Joaquin Electric) scope of work. The work will be performed by Pacific Excavation, Inc. as a subcontractor to San Joaquin Electric; and

WHEREAS, staff recommends awarding the contract for the City of Lodi Surface Water Treatment Plant to the low bidder, C. Overaa & Company, of Richmond, California, in the amount of \$22,837,000; and

WHEREAS, at the December 16, 2009, City Council meeting, Pall Corporation was authorized as the membrane filtration system supplier, and staff, along with HDR Engineering, has negotiated the necessary terms and requirements of the membrane filtration system to meet our specific project needs, with a total contract amount of \$890,000; and

WHEREAS, Krazan & Associates, Inc., provided the same inspection and testing services for all phases of the White Slough Water Pollution Control Facility upgrades. Krazan & Associates will also provide an inspector to assist the City Building Inspector who has been previously approved by the Building Division to represent their interests. The time-and-materials contract for testing and inspection services is not to exceed \$488,000; and

WHEREAS, on April 20, 1994, City Council established Haworth, Inc., as the standard office systems furniture manufacturer for City projects. Durst Contract Interiors is the local authorized vendor for Haworth products and installation. The total contract for furniture is \$52,025; and

WHEREAS, staff recommends HDR Engineering, Inc., perform the construction administration services. As the design engineer for this project, HDR is ideally suited to perform these duties. This is a time-and-materials contract with a not-to-exceed maximum of \$890,000; and

WHEREAS, to meet the requirements of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan, compensation is required for converting open space to non-open space use and an Incidental Take Minimization Measures agreement is required to be executed by the City. This is a one-time fee of \$90,606.80; and

WHEREAS, the total project estimate is \$36,500,000, which includes the construction contract, membrane filtration system, shop tools and equipment, furniture, property acquisition, permit fees, construction administration services, testing and inspection contract, construction contingencies, and other project-associated expenses; and

WHEREAS, staff recommends a total project appropriation of \$36,500,000 from the sale of the bonds approved at the October 6, 2010, Council meeting.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the substitution of A.M. Stephens Construction Company, of Lodi, California, for Sierra Equipment Rental, Inc., of Glenn, California, and of FD Thomas, of Medford, Oregon, for National Coatings and Lining Company, of Lake Elsinore, California; reject the bid protest of G.S.E. Construction, of Livermore, California; authorize the City Manager to execute contracts with C. Overaa & Company, of Richmond, California, for construction (\$22,837,000), Pall Corporation, of Port Washington, New York, for membrane filtration system (\$3,926,081), Krazan & Associates, of Modesto, California, for testing and inspection services (\$488,000), Durst Contract Interiors, of Stockton, California, for furniture (\$52,025), HDR Engineering, of Folsom, California, for construction administration services for Surface Water Treatment Facility Project (\$890,000), and San Joaquin Council of Governments for Incidental Take Minimization Measures (\$90,606.80); and

BE IT FURTHER RESOLVED that funds in the amount of \$36,500,000 be appropriated from the Water Fund.

Dated: October 20, 2010

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I hereby certify that Resolution No. 2010-182 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 20, 2010, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, and Mayor Katzakian

NOES: COUNCIL MEMBERS – Hitchcock and Mounce

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



RANDI JOHL
City Clerk